

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROMEO and BELEN PINZON,
Plaintiffs,
v.
BANK OF AMERICA, N.A., et al.,
Defendants.

NO. C10-00328 TEH
ORDER DISMISSING
CASE WITH PREJUDICE

10 This action was dismissed without prejudice in an order dated May 4, 2010, after
11 counsel for Plaintiffs Romeo and Belen Pinzon (“Plaintiffs”) conceded that their complaint
12 was insufficient to withstand Defendants’ motions to dismiss. The Court granted Plaintiffs
13 until June 3, 2010, to file an amended complaint. Plaintiffs failed to do so by that deadline.

14 Defendant J.P. Morgan Chase Bank, N.A. (“JPMorgan”) filed a second motion to
15 dismiss on June 14, 2010, asking the Court to dismiss this action with prejudice based on
16 Plaintiffs’ failure to file an amended complaint. On June 16, 2010, the Court ordered
17 Plaintiffs to file an opposition no later than June 28, 2010. The Court advised that, if no
18 opposition was filed by that date, this matter would be dismissed with prejudice for failure to
19 prosecute. Defendants CTX Mortgage Co., LLC and Centex Homes filed their own motion
20 to dismiss for failure to prosecute on June 24, 2010.

21 Plaintiffs have not filed an opposition to JPMorgan's motion to dismiss, nor have they
22 filed an amended complaint. Therefore, for good cause appearing, this action is
23 DISMISSED WITH PREJUDICE as to all Defendants for failure to prosecute. The Clerk
24 shall close the file.

26 IT IS SO ORDERED.

28 | Dated: 6/30/10

Helen S. Anderson

THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT